

## DETAILED ACTION

### *Amendment*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicants submission filed on 11/27/07 has been entered. Applicant's amendment filed on 11/8/07 is acknowledged.

### *Status of claims*

2. Claims 1-44 (please note applicant recited claims 1-46 canceled although claims 45-46 are pending) and 55-60 are cancelled .

Claims 45-47 and 61 have been amended.

Claims 45-50, 53-54 and 61 are under examination.

Claims 51-52 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected group of inventions.

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Travis Wohlers on 12/15/08 The application has been amended as follows:

Claims 51 , 52 and 53-54 are cancelled

Claim 45. (Currently Amended) A pharmaceutical composition comprising an isolated hyperimmune serum-reactive antigen fragment consisting of an amino acid sequence of 399-417, 503-519, 544-563, 489-556, 386-458, or 458-624 of SEQ ID NO:364.

Claim 46. (Currently Amended) The ~~pharmaceutical~~ composition of claim 45, wherein the hyperimmune serum-reactive antigen fragment is directed against ~~binds to~~ anti-S. agalactiae serum. ~~can't be reactive to - must be binds~~ . Please call applicant for permission and make changes, if agreed to, called and agreed.

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Claim 47. (Currently Amended) The ~~pharmaceutical~~ composition of claim 45, further defined as comprising at least two different hyperimmune serum-reactive antigen fragments.

Claim 48. (Currently Amended) The ~~pharmaceutical~~ composition of claim 47, wherein the at least two different hyperimmune serum-reactive antigen fragments are both ~~directed against~~ ~~bind to~~ anti-S. agalactiae serum.

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Claim 49. (Currently Amended) The ~~pharmaceutical~~ composition of claim 45, further comprising an immunostimulatory substance.

Claim 50. (Currently Amended) The ~~pharmaceutical~~ composition of claim 49, wherein the immunostimulatory substance is a polycationic polymer, an immunostimulatory non -methylated deoxynucleotide (ODN), a peptide containing at least two LysLeuLys motifs, a ~~neuroactive~~ compound, alum, or a Freund's complete or incomplete adjuvant.

4. In view of amendment to the claims all the rejections of record are withdrawn.

5. Claims 45-50 and 61 are allowed and have been renumbered as 1-7 respectively.

#### ***Conclusion***

6. Papers related to this application may be submitted to Group 1600, AU 1645 by facsimile transmission. Papers should be transmitted via the PTO Fax Center, which receives transmissions 24 hours a day and 7 days a week. The transmission of such papers by facsimile must conform to the notice published in the Official Gazette, 1096 OG 30, November 15, 1989. The Right Fax number is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PMR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PMR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PMR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Padma Baskar Ph.D., whose telephone number is ((571) 272-0853. A message may be left on the Examiner's voice mail system. The Examiner can normally be reached on Monday to Friday from 6.30 a.m. to 4.00 p.m. except First Friday of each bi-week.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shanon Foley can be reached on (571) 272-0898. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-1600

Padma Baskar Ph.D.

/Shanon A. Foley/  
Supervisory Patent Examiner, Art Unit 1645

## CLEAN COPY OF ALLOWED CLAIMS

Claim 1.45. A composition comprising an isolated hyperimmune serum-reactive antigen fragment consisting of an amino acid sequence of 399- 417, 503-519, 544-563,489-556, 386-458, or 458-624 of SEQ ID NO:364.

Claim 2.46. The composition of claim 1 45, wherein the hyperimmune serum-reactive antigen fragment binds to anti *S. agalactiae* serum .

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Claim 3.47. The composition of claim 1 45, further defined as comprising at least two different hyperimmune serum-reactive antigen fragments.

Claim 4.48. The composition of claim 3 47, wherein the at least two different hyperimmune serum-reactive antigen fragments are both bind to anti-*S. agalactiae* serum.

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Claim 5.49. The composition of claim 1 45, further comprising an immunostimulatory substance.

Claim 6.50. The composition of claim 5 49, wherein the immunostimulatory substance is a polycationic polymer, an immunostimulatory non methylated deoxynucleotide (ODN), a peptide containing at least two LysLeuLys motifs, alum, or a Freund's complete or incomplete adjuvant.

Claim 7.61. A composition comprising:

- (a) an isolated hyperimmune serum-reactive antigen fragment consisting of an amino acid sequence of 399-417, 503-519, 544-563, 489-556, 386-458, or 458-624 of SEQ ID NO:364; and
- (b) an immunostimulatory substance.